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EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/696,221	OGG, CRAIG	
	Examiner	Art Unit	
	ROB WU	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 June 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *9-11,14-34 and 36-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *9-11,14-34 and 36-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group II in the reply filed on June 13 2008 is acknowledged.

2. Claims 1, 2, 4-8 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on June 13 2008.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 28 2008 has been entered.

Response to Arguments

4. Applicant's arguments with respect to claims 9-11, 14-34, 36-39 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 9-11,14-23, 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pub No. 2002/0073039 to Ogg et al in view of U.S. Pub No. 2001/0037320 to Allport et al.

Referring to claim 9:

A method for printing postage indicia on labels to create postage stamps, comprising:

Ogg et al disclose

Receiving information associated with a plurality of mail pieces that require postage, wherein the information is used to determine the amount of the required postage for each of a plurality of postage indicia to be printed; [0031]-[0034] and

Printing said plurality of postage indicia corresponding to the required postage amounts on blank labels, wherein each of the postage stamps is associated with a particular one of the plurality of mail pieces, and wherein at least two of the postage indicia labels are not identical [0037].

Ogg et al disclose printing an image on the blank labels, wherein each of the postage indicia are associated with a mail piece that is designated for a particular recipient; [0037]

Ogg et al does not expressly disclose wherein the image is selected based upon one or more characteristics of the particular recipient.

Allport et al disclose printing a postage indicia label wherein the image is selected based upon one or more characteristics of the particular recipient. [0029], [0032]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Ogg et al to combine the image selection for postal indicia as discloses by Allport et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one ordinary skill in the art would have recognized that the results of the combination were predictable.

Referring to claim 10:

Ogg et al disclose

The method of claim 9 further comprising:

Calculating the required postage amount from the information associated with the mail pieces. [0032]

Referring to claim 11:

Ogg et al disclose

The method of claim 9 wherein the received information associated with the mail pieces comprises a required postage amount. [0031]

Referring to claim 14:

Ogg et al disclose each of the postage stamps are associated with a mail piece that is designated for a particular recipient;(Fig 9 and 10) Ogg et al does not expressly disclose that the image is selected based upon a characteristic of the recipient, and the characteristics are selected from the group consisting of:

The recipient's age;

The recipient's sex;

The recipient's occupation; and

The recipient's location.

Allport et al disclose selecting an image basing upon a characteristic of the recipient wherein the characteristics are selected from the group consisting of: the recipient's sex, the recipient's location. [0032]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Ogg et al to combine the image selection based on certain recipient characteristics as discloses by Allport et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one ordinary skill in the art would have recognized that the results of the combination were predictable.

Referring to claim 15:

Ogg et al disclose

The method of claim 12 wherein a single image is printed on a plurality of labels; and wherein the plurality of labels are printed with indicia representing at least two different postage amounts.(Fig 6)

Referring to claim 16:

Ogg et al disclose wherein the postage indicia printed on a plurality of labels represent a single postage amount. [0037] Ogg et al does not expressly disclose wherein the plurality of labels are printed with varying images.

Allport et al disclose that images can be selected and printed as part of the postage indicia where the image varies based on certain recipient characteristics. [0029], [0032]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Ogg et al to vary the images printed on the plurality of labels as disclosed by Allport et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one ordinary skill in the art would have recognized that the results of the combination were predictable.

Referring to claim 17:

Ogg et al disclose wherein the postage indicia varies based on weight and recipient location [0033]. Ogg et al does not expressly disclose that the images on the labels also vary.

Allport et al disclose that images can be selected and printed as part of the postage indicia where the image varies based on certain recipient characteristics. [0029], [0032]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Ogg et al to vary the images printed on

the plurality of labels as disclosed by Allport et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one ordinary skill in the art would have recognized that the results of the combination were predictable.

Referring to claim 18:

Ogg et al disclose

The method of claim 12 wherein the blank labels comprise a roll of labels that are printed in series. [0035]

Referring to claim 19:

Ogg et al disclose

The method of claim 12 wherein the blank labels comprise a sheet of labels. [0035]

Referring to claim 20:

Ogg et al disclose

The method of claim 9 wherein the blank labels comprise a serial number. [0036]

Referring to claim 21:

Ogg et al disclose

The method of claim 20 further comprising:

Verifying that the serial number is valid. [0039]

Referring to claim 22:

Ogg et al disclose

The method of claim 20 wherein printed postage indicia includes the serial number. [0036]

Referring to claim 23:

Ogg et al disclose

The method of claim 9 wherein the printing step comprises:

Receiving label stock having a pre-printed serial number, the pre-printed serial number including a master serial number; [0036]

Generating an indicium using with the master serial number, pre-printed serial number, and required request [0036]; and

Printing the indicium on the label stock. [0036]

Referring to claim 31:

Ogg et al disclose printing an image on the blank labels, wherein each of the postage indicia are associated with a mail piece that is designated for a particular recipient; [0037]

Ogg et al does not expressly disclose wherein the image is selected based upon one or more characteristics of the particular recipient.

Allport et al disclose printing a postage indicia label wherein the image is selected based upon one or more characteristics of the particular recipient. [0029], [0032]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Ogg et al to combine the image selection for postal indicia as discloses by Allport et al since the claimed invention is merely a combination of old elements, and in the combination each

element merely would have performed the same function as it did separately, and one ordinary skill in the art would have recognized that the results of the combination were predictable.

Referring to claim 32:

Ogg et al disclose each of the postage stamps are associated with a mail piece that is designated for a particular recipient;(Fig 9 and 10) Ogg et al does not expressly disclose that the image is selected based upon a characteristic of the recipient, and the characteristics are selected from the group consisting of:

The recipient's age;

The recipient's sex;

The recipient's occupation; and

The recipient's location.

Allport et al disclose selecting an image basing upon a characteristic of the recipient wherein the characteristics are selected from the group consisting of: the recipient's sex, the recipient's location. [0032]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Ogg et al to combine the image selection based on certain recipient characteristics as discloses by Allport et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one ordinary skill in the art would have recognized that the results of the combination were predictable.

7. Claims 24-30, 33, 34, 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogg et al.

Referring to claim 24:

A method for creating postage stamps for use on mail pieces, comprising:

Ogg et al disclose

monitoring the progress of mail pieces in a letter processing system [0031];

Calculating a postage amount due for each of the mail pieces; [0031], [0032]

Creating the postage stamps associated with each of the mail pieces before the mail pieces arrive at a postage stamp applicator [0036];

Printing postage indicia corresponding to the postage amount on blank labels to create postage stamps for use on the mail pieces, wherein each of the postage stamps is associated with a particular one of the mail pieces, and wherein at least two of the postage stamps are not identical; [0031]-[0036] and

Applying the postage stamps to the associated mail pieces. [0026]

and

Coordinating the operation of the postage stamp applicator and a postage evidencing system that creates the stamps to ensure that the correct postage stamps are applied to each envelope. [0034]

Ogg et al does not expressly disclose that the letter processing system is a high-speed letter processing system. However, the Examiner takes Official Notice that it would have been obvious for Ogg et al's letter processing system

to be a high-speed processing system since High-speed letter processing systems are well known in the arts. As evident by the disclosure by Katikaneni et al (U.S. Pub No. 2002/0073052) where it is stated that "mailing machines, also well known in the art, are typically employed to automate the handling of the mailpieces as to increase the efficiency of producing large batches of mailpieces. The typical mailing machine may include a variety of different modules or sub-systems where each module performs a different task on the mailpiece, such as: singulating (separating the mailpieces one at a time from a stack of mailpieces), weighing, sealing (wetting and closing the glued flap of an envelope), applying evidence of postage, accounting for postage used (performed by the postage meter), feeding roll tape or cut tape strips for printing and stacking finished mailpieces. [0005]

Referring to claim 25:

Ogg et al disclose

The method of claim 24 further comprising:

Monitoring the quality of the postage stamps to ensure that the proper postage indicia was printed [0040]

Referring to claim 26:

Ogg et al does not expressly disclose monitoring the quality of the mail pieces to ensure that the postage stamps have been properly applied. However, it would have been obvious at the time of the invention to check and make sure that the postage stamps have been properly applied. Ogg et al would be

motivated to perform the monitoring to ensure that the labels are applied to prevent labels from falling off during mailing transits.

Referring to claim 27:

Ogg et al disclose

The method of claim 24 further comprising:

Monitoring the quality of the mail pieces to ensure that the postage indicia represents a proper postage amount. [0032]

Referring to claim 28:

Ogg et al disclose

The method of claim 24 wherein the calculating step further comprises:

Determining a destination for a mail piece; (Fig 4)

Calculating the postage amount based upon the destination of the mail piece [0031]

Referring to claim 29:

Ogg et al disclose

The method of claim 24 wherein the calculating step further comprises:

Determining a weight for a mail piece;[0032]

Calculating the postage amount based upon the weight of the mail piece. [0032]

Referring to claim 30:

Ogg et al disclose

The method of claim 24 further comprising:

Printing an image on the blank labels in addition to the postage indicia.[0042], [0043]

Referring to claim 33:

Ogg et al disclose

The method of claim 24 wherein the blank labels comprise a roll of labels that are printed in series. [0035]

Referring to claim 34:

Ogg et al disclose

The method of claim 24 wherein the blank labels comprise a sheet of labels. [0035]

Referring to claim 36:

Ogg et al disclose

The method of claim 24 wherein the blank labels comprise a serial number. [0036]

Referring to claim 37:

Ogg et al disclose

The method of claim 36 further comprising:

Verifying that the serial number is valid. [0039]

Referring to claim 38:

Ogg et al disclose

The method of claim 36 wherein printed postage indicia includes the serial number. (Fig 6)

Referring to claim 39:

Ogg et al disclose

The method of claim 24 wherein the printing step further comprises:

Receiving label stock having a pre-printed serial number, the pre-printed serial number including a master serial number; [0036]

Generating postage indicia using the master serial number, pre-printed serial number, and required request; [0036] and

Printing the postage indicia on the label stock. [0036]

Conclusion

8. Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROB WU whose telephone number is (571)272-3136. The examiner can normally be reached on Mon-Fri 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571)272-6708. The fax

phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. W./
Examiner, Art Unit 3628

/JOHN W HAYES/
Supervisory Patent Examiner, Art Unit 3628